United Nations CCPR/C/SUR/Q/3

International Covenant on Civil and Political Rights

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Human Rights Committee

List of issues in relation to the third periodic report of Suriname*

Constitutional and legal framework within which the Covenant is implemented (art. 2)

1. Please provide examples of cases, if any, in which provisions of the Covenant were directly applied or used as an aid to interpret domestic law by the courts. With regard to paragraphs 36, 80, 85–86, 93 and 198 of the State party's third periodic report (CCPR/C/SUR/3), please provide further information on the human rights training given to judges and law enforcement officials, in particular with respect to the provisions of the Covenant.

2. With reference to the information provided in paragraph 46 of the periodic report, please provide updated information on the steps taken to give full effect to the Committee's views regarding *Baboeram-Adhin et al.* v. *Suriname* (communication Nos. 146/1983 and 148/1983–154/1983). Please also describe the procedure in place for ensuring the implementation of the Views adopted by the Committee under the Optional Protocol.

3. With reference to the information provided in paragraph 173 of the periodic report, please clarify whether the State party is considering the establishment of a national human rights institution with a broad human rights mandate, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Non-discrimination and equality between men and women (arts. 2, 3 and 26)

4. Please indicate the legislative or administrative measures, including recent court decisions, if any, relating to the protection against discrimination on the grounds of race, ethnicity, age, language, religion, political or other opinion, sexual orientation and gender identity.

5. Please indicate what measures the State party has adopted to eliminate occupational segregation between men and women in the labour market. Please also provide detailed information, including up-to-date disaggregated statistical data, on the differences in the employment rate of men and women, and the discrepancy between men and women with regard to wages. How does the State party plan to overcome the obstacles to women's full participation and advancement in the workplace? With reference to the information

* Adopted by the Committee at its 113th session (16 March–2 April 2015).

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provided in paragraph 182 of the periodic report, please specify what measures are in place to promote an equal representation of women in decision-making positions, both in public affairs and in the private sector. Has the State party evaluated the effectiveness of the measures taken to implement the National Gender Action Plan 2006–2011?

6. With regard to the information contained in paragraph 100 of the periodic report, please indicate the measures taken to amend discriminatory provisions concerning the minimum age of marriage, which differs for men and women. Information would also be appreciated on measures taken to amend other discriminatory provisions in relation to gender, such as those included in the Nationality and Residence Act, the Identity Act and the Personnel Act.

7. Concerning the information contained in paragraph 216 of the periodic report, please indicate whether the State party has put in place awareness-raising programmes to inform persons with disabilities about their rights and how to claim them; if so, please share the results of any evaluation of the impact of these programmes. Please provide information on the progress made in implementing the 2005–2010 policy plan developed by the Policy Committee for Persons with Disabilities.

Public emergency (art. 4)

8. With regard to the information provided in paragraphs 47 and 185–186 of the periodic report, please clarify the measures taken to ensure that the implementation of articles 23, 102 and 128–130 of the Constitution regulating the state of emergency is in conformity with the provisions of the Covenant, particularly article 4.

Violence against women, including domestic violence (arts. 3 and 7)

9. Please provide updated statistical data, for the period under review, on the number of complaints filed concerning all forms of violence against women and the number of convictions handed down, including the sentences imposed and the compensation awarded to victims. With reference to the information provided in paragraphs 177–178 of the periodic report, please provide further information on existing training for the police and other law enforcement officials, health and social workers and the judiciary on the application of legal provisions aimed at combating violence against women.

Right to life and prohibition of torture and other cruel, inhuman or degrading treatment or punishment (arts. 6 and 7)

10. According to information before the Committee, on 3 March 2015 the National Assembly of Suriname voted in favour of a law abolishing the death penalty for any type of crime. Please clarify whether this law has entered into force. Please also indicate whether the State party intends to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

11. With reference to the information provided in paragraphs 17, 40–46 and 188 of the periodic report, please provide updated information on the investigation and prosecution of those allegedly involved in human rights violations that occurred during the period of military rule. According to information before the Committee, the National Assembly adopted an amendment to the 1992 amnesty law (see CCPR/C/SUR/3, para. 41), which extended the period covered by the law to between April 1980 and August 1992. Please comment on this information in the light of the Committee's general comment No. 31 (2004) on the nature of the general legal obligation imposed on State parties to the Covenant, in particular paragraph 18.

12. With reference to paragraphs 56–58 of the periodic report, please provide updated statistical data, disaggregated by sex, age, ethnic origin or nationality and place of

detention, on complaints of acts of torture and ill-treatment recorded during the reporting period. Please include information on investigations, disciplinary and criminal proceedings, convictions and the criminal or disciplinary sanctions applied. Please also outline the steps taken to establish an independent external monitoring mechanism to investigate allegations of unlawful acts committed by law enforcement officials.

13. Please comment on reports alleging that arbitrary detention, harassment, torture and ill-treatment of lesbian, gay, bisexual, transgender and intersex persons, especially transgender women, continue to be a usual practice of security forces in the country. Please provide information on any investigation or prosecution of police officers accused of ill-treating individuals based on their sexual orientation or gender identity.

Elimination of slavery and servitude (art. 8)

14. With reference to the information provided in paragraphs 63–69, 200–202 and annex 2 of the periodic report, please provide updated information, disaggregated by the age, sex and ethnicity of the victims, on the number of complaints, investigations, prosecutions, convictions and sentences imposed in cases of human trafficking since the consideration of the State party's second periodic report (CCPR/C/SUR/2003/2). Please also provide additional information on the measures adopted to ensure that victims of trafficking have access to effective remedies and reparation. What practical measures have been taken to implement the national strategy to combat human trafficking adopted in April 2014?

Right to liberty and security of the person, rights of persons deprived of their liberty, right to a fair trial and due process (arts. 9, 10 and 14)

15. With reference to the information included in annex 3 to the periodic report, please provide updated statistical data, disaggregated by sex, age and ethnicity, on the number of pretrial detainees and convicted prisoners, as well as the occupancy rate of all places of detention. The Committee has taken note of reports of declining detention conditions in police stations, prisons and other detention centres in the country. Please provide detailed information in this regard. Please also indicate all the measures taken to guarantee that juvenile offenders are held separately from adults.

16. Please include information on the number of persons deprived of their liberty in psychiatric hospitals and other institutions for persons with psychosocial disabilities. What is the situation with respect to alternative forms of treatment, such as community-based rehabilitation services and other forms of outpatient treatment programmes?

17. In the light of the Committee's general comment No. 32 (2007) on the right to equality before courts and tribunals and to a fair trial, please provide an account of the legislative or other measures taken to ensure full implementation of article 14 (see CCPR/C/2009/1, paras. 73–74). Please also indicate the status of the draft law on the Constitutional Court.

18. With reference to the information provided in paragraph 83 of the periodic report, please provide information on the measures taken to ensure that anyone arrested or detained on a criminal charge has immediate access to a lawyer from the outset of the deprivation of liberty and is brought promptly before a judge, as recommended by the Committee in 2004 (see CCPR/CO/80/SUR, para. 14). According to information before the Committee, there is a shortage of judges and prosecutors and the number of legal aid lawyers is insufficient. Please comment.

Freedom of expression and association and right of peaceful assembly (arts. 19, 21 and 22)

19. With reference to the information provided in paragraphs 234–237 and 240–243 of the periodic report, please elaborate further on the measures taken to guarantee freedom of

expression, association and assembly effectively. Please comment on allegations that human rights activists and journalists continue to be subjected to intimidation and harassment.

20. Concerning the information contained in annex 6 of the periodic report, and in accordance with the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression, please provide information on the measures taken to give effect to the right of access to information held by pubic bodies. Please indicate the status of the draft freedom of information act.

Rights of the child (art. 24)

21. With regard to paragraph 89 of the periodic report, please provide up-to-date information on the legislative measures taken to raise the minimum age of criminal responsibility.

22. According to the information before the Committee, corporal punishment is still lawful in the home and alternative care settings. Please comment and provide information on the steps taken by the State party to prohibit corporal punishment by law and to enforce the prohibition in all settings. Please include information on the legislative and practical measures adopted to combat child abuse and to eradicate child labour and the sexual exploitation of children.

Rights of persons belonging to minorities (arts. 27)

23. Please supply more detailed information on ethnic, religious and linguistic minorities in Suriname, explaining how these groups are guaranteed the rights recognized in article 27 of the Covenant (CCPR/C/SUR/3, paras. 24–25, 97 and 260–262).

24. With reference to the information provided in paragraphs 17, 19, 101–166, 170 and 260–262 of the periodic report, please provide up-to-date information on the steps taken to ensure legal recognition and guarantees for the protection of indigenous and tribal peoples' rights to their lands, territories and resources. In particular, please update the Committee on the measures taken to comply fully with the judgements rendered by the Inter-American Court of Human Rights in the cases of *Moiwana Village* v. *Suriname* (2005) and *Saramaka* v. *Suriname* (2007).

25. Please comment on the information made available to the Committee that concessions and permits for extractive activities and large-scale development projects on indigenous and tribal peoples' lands and territories have been granted to domestic and foreign companies without meaningful involvement of indigenous and tribal peoples. In this connection, please comment on information received that the State does not respect the decision-making structures of indigenous and tribal peoples, and has taken measures to intimidate and coerce representatives of indigenous peoples and tribal authorities that are working to secure the rights of their communities.

Dissemination of the Covenant (art. 2)

26. Please provide information on measures taken to disseminate information on the provisions of the Covenant and on the third periodic report and its pending consideration by the Committee.